| 1 | | HONORABLE RICHARD A. JONES |
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| 7 | UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON | |
| 9 | AT SEATTLE | |
| 10 | MADTA DIVALI | |
| 11 | MARTA D LYALL, | CASE NO. C17-472 RAJ |
| 12 | Plaintiff, | ORDER |
| 13 | v. | ORDER |
| 14 | U. S. BANK NATIONAL | |
| 15 | ASSOCATION, et al., | |
| 16 | Defendants. | |
| 17 | | |
| 18 | This matter comes before the Court on Plaintiff's Motion for Emergency Ex Parte | |
| 19 | Temporary Injunction to Enjoin (Stop) Foreclosure Sale of Two Properties (Same trustee) | |
| 20 | on 3/24/2017. Dkt. # 2. | |
| 21 | To obtain preliminary injunctive relief, Plaintiff must "establish that [she] is likely | |
| 22 | to succeed on the merits, that [she] is likely to suffer irreparable harm in the absence of | |
| 23 | preliminary relief, that the balance of equities tips in [her] favor, and that an injunction is | |
| 24 | in the public interest." Winter v. Natural Resources Defense Council, Inc., 129 S.Ct. 365, | |
| 25 | 374 (2008). The standard for a temporary restraining order is substantially the same. | |
| 26 | ProtectMarriage.com - Yes on 8 v. Courage Campaign, 680 F. Supp. 2d 1225, 1228 | |
| 27 | (E.D. Cal. 2010) (citing Winter); Stuhlbarg Int'l S | Sales Co. v. John D. Brush & Co., 240 |
| | | |

F.3d 832, 839 n.7 (9th Cir. 2001) (noting that preliminary injunction and temporary 2 restraining order standards are "substantially identical"). 3 Plaintiff has not met her burden to show that she is likely to succeed on the merits of her claims. In her Complaint, Plaintiff alleges plain conclusions and disjointed facts 5 that fail to link the financial Defendants to improper actions that directly implicate the 6 impending foreclosure sale. The Court cannot find that Plaintiff is likely to succeed on 7 the merits of her claims against the financial Defendants. 8 This Order only implicates the sale as to the Shoreline, Washington property. 9 Plaintiff has not alleged facts to show that the Court has jurisdiction over the property in 10 Memphis, Tennessee. Therefore, the Court denies the motion as it relates to the 11 Tennessee property on the basis of improper jurisdiction. 12 Plaintiff's Motion is **DENIED**. Dkt. # 2. 13 14 DATED this 23rd day of March, 2017. 15 Richard A Jones 16 17 The Honorable Richard A. Jones 18 United States District Judge 19 20 21 22 23 24 25 26 27